



JC10 Rec'd PCT/PTO 19 MAY 2005

PTO-1390 (Rev. 02-2005)

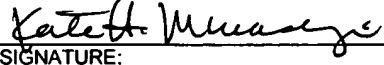
Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 246152023700
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516,661
INTERNATIONAL APPLICATION NO. PCT/EP03/005726	INTERNATIONAL FILING DATE 28 May 2003	PRIORITY DATE CLAIMED 30 May 2002
TITLE OF INVENTION NOVEL PECTINASES AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US Richard ALBANG et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (3 pages).</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Form PTO/SB/08a/b (2 pages + duplicate); 18 References; Return Receipt Postcard</p>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/516,661		INTERNATIONAL APPLICATION NO. PCT/EP03/005726		ATTORNEY'S DOCKET NUMBER 246152023700	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee \$300				\$	
22. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100					
All other situations \$200				\$	
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100					
International Search Report prepared and provided to the Office \$400					
All other situations \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x	\$	
Independent claims	- 3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				\$	
TOTAL OF ABOVE CALCULATIONS =				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$	0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	0.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Kate H. Murashige Morrison & Foerster LLP 3811 Valley Centre Drive - Suite 500 San Diego, CA 92130-2332 CUSTOMER NUMBER: 25225</p> <p style="text-align: right;">  SIGNATURE: _____ Kate H. Murashige REGISTRATION NUMBER: 29,959 </p>					

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 5-17-05

Signature:  (Rhea Amid)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 5-17-05 Signature: *Rhea Amid*
(Rhea Amid)

PATENT
Docket No. 246152023700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Richard ALBANG et al.

Serial No.: 10/516,661

Filing Date (Int'l): May 28, 2003

For: NOVEL PECTINASES AND USES
THEREOF

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The document numbers 8, 10, 19, 22, 25, 26, and 27 listed on the attached Form PTO/SB/08a/b were cited in an International Search Report mailed on January 15, 2004 (copy attached) directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **246152023700**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 6, 2005

Respectfully submitted,

By Kate H. Murashige
Kate H. Murashige
Registration No.: 29,959
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
(858) 720-5112

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/516,661
				Filing Date (Int'l)	May 28, 2003
				First Named Inventor	Richard ALBANG
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	246152023700

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-4,433,092	02-21-1984	JOSEPH NEMETH	
	2.	US-4,631,211	12-23-1986	RICHARD A. HOUGHTEN	
	3.	US-4,704,692	11-03-1987	ROBERT C. LADNER	
	4.	US-4,708,781	11-24-1987	HENRI VANDER POORTEN	
	5.	US-4,946,778	08-07-1990	ROBERT C. LADNER	
	6.	US-5,194,392	03-16-1993	HENDRIK M. GEYSEN	
	7.	US-5,223,409	06-29-1993	ROBERT C. LADNER	
	8.	US-5,447,862	09-05-1995	JUTTA HEIM	
	9.	US-5,480,971	01-02-1996	RICHARD A. HOUGHTEN	
	10.	US-6,197,566	03-06-2001	INGE HELMER KNAP	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	11.	WO-90/02809	03-22-1990	LADNER		
	12.	WO-91/17271	11-14-1991	DOWER		
	13.	WO-92/01047	01-23-1992	MCCAFFERTY		
	14.	WO-92/09690	06-11-1992	GARRARD		
	15.	WO-92/15679	09-17-1992	MARKLAND		
	16.	WO-92/18619	10-29-1992	KANG		
	17.	WO-92/20791	11-26-1992	WINTER		
	18.	WO-93/01288	01-21-1993	BREITLING		
	19.	WO-94/14966	07-07-1994	GIST-BROCADES NV		
	20.	WO-95/29598	11-09-1995	VAN OOIJEN		
	21.	WO-98/46772	10-22-1998	SELTEN		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	22.	HARA et al., Journal of the Japanese Society For Food Science and Technology (1986) 33(5):336-341		
	23.	HUISMAN et al., Carbohydrate Polymers (1999) 38:299-307		
	24.	International Search Report for PCT/EP03/05726, mailed on January 15, 2004, 6 pages		
	25.	MILL, The Biochemical Journal, England (1966) 99(3):557-561		

Examiner Signature		Date Considered	
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sd- 237538

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/516,661
				Filing Date (Int'l)	May 28, 2003
				First Named Inventor	Richard ALBANG
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	246152023700

	26.	MILL, The Biochemical Journal, England (1966) 99(3):562-565	
	27.	OMRAN et al., Lebensmittel-Wissenschaft & Technologie (1986) 19(6):457-463	
	28.	OUHIDA et al., J. Agric. Food Chem (2002) 50:1933-1938	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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sd-237538